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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/419,300	10/15/1999	PHIL-TAE KIM	P55862	1028

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EXAMINER

ABDULSELAM, ABBAS I

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 01/29/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/419,300

Applicant(s)

KIM, PHIL-TAE

Examiner

Abbas I Abduselam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections 35 U.S.C. 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Samurai (USN 5581685) in view of Miyashita(USN 6186630) and Choi (USN 5648781).

Regarding claims 1, 4, 8, 18 and 21, Samurai teaches about displaying a menu, and submenu with area indicators. See Column 9, line 46-56, and Fig 13A. Samurai teaches about displaying a menu in connection with menu items selection process (S4), and the process of loading and displaying a submenu (S11). Samurai discloses an area indicator which is increased or decreased by one for a display of submenu and for a display of previous menu respectively. See column 9, lines 47-57. Samurai also teaches that the file name of a submenu is stored in a display-file-name storage area allocated in a memory. See column 9, lines 42-47, and Fig 12. Moreover, Samurai teaches that selection can be made using function keys in order to control the pages of the menu on a screen. See Column 9, line 24-30, line 42-46, line 57-63, and Fig 12. Samurai teaches about the executing command and the display of a submenu (14) based on a menu display definition file. See column 6, line 25-34, and Fig 5-6. However, Samurai does not teach about a remote controller with a trackball for controlling the movement of an indicator. Miyashita

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on the other hand teaches about a remote controller with a trackball (28a) for controlling a display position of a pointer. See Column 5, line 1-6, and Figure 3.

In addition Miyashita teaches a multimedia presentation system including the use of a desired display area such as a screen (16). See Column 1, lines 16-21 and Fig 1.

Regarding claims 2, 5, and 14, it has been discussed above.

Regarding claims 3, 6-7, 11-12, 15, 19-20 and 22-23, Miyashita teaches about an enlargement of an image, and changing the position of a curser using a remote controller. See Column 3, line 10-17.

Regarding claims 9-10, Miyashita teaches about a projection system where the position of the pointer can be controlled apart from main control means. Miyashita further teaches that an operator can freely control the display position of the position mark by operating a hand-held remote controller. See Column 1, line 52-56, and Column 3, 5-10.

Regarding claim 13, see Fig 3 (28a 28b).

Regarding claim 16, Miyashita teaches an equivalent screen display, See 13A-B.

Regarding claim 17, Miyashita teaches about operating section (400), trackball (28a), menu button (22e, 22j), adjust button (28c), freeze button (22d) and other functions (24a, 24b, 24c). See figure 3. Furthermore, Miyashita teaches about wireless receiver means (14a, 14b) with limited receiving ranges.

Therefore, it would have been obvious to one having skill in the art at the time the invention was made to modify samurai's menu system to include Miyahsita's remote controller

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with all of its features. One would have been motivated in view of the suggestion in Miyashita that the desired manually operated remote controller is equivalent to Miyashita's remote controller, and the use of which helps for wirelessly transmitting an operation signal as taught by Miyashita.

Samurai has been described above. However, Samurai does not disclose "an indicator initially displayed at a predetermined position within the menu." Choi on the other hand teaches that when menu-key of a remote controller is pressed, a main menu is displayed on a system monitor such that the cursor is initially located at a predetermined screen location. See Fig 1 (100) and col. 3, lines 4-13.

Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Samurai's menu system to include Choi's method of locating a pointer at a predetermined screen location as demonstrated in Fig 1 (100). One would have been motivated in view of the suggestion in Choi that pressing menu key along with displaying main menu (100) equivalently provides "an indicator initially displayed at a predetermined position within the menu". The use of pressing menu key as well as displaying main menu helps function a remote control having several features of menu display.

In addition, Choi teaches a system of remote control and television including a shift data storage unit (58), menu storage unit (70), menu display control unit (67) and menu content execution unit (74). See Fig 3 and col. 4, lines 1-9.

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Conclusion

2. The prior art made of record and not relied upon is considered to applicant's disclosure.

The following arts are cited for further reference.

U.S. Pat. No. 5,754,177 to Haha et al.

U.S. Pat. No. 5,982,364 to Beckwith

U.S. Pat. No. 6,486,792 to Moster et al.

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3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand delivered responses should be brought to Crystal Park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.



RICHARD HJERPE
SUPERVISOR

Abbas Abdulsalam

Examiner

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